State of Hawaii DEPARTMENT OF LAND AND NATURAL RESOURCES Division of Aquatic Resources Honolulu, Hawaii 96813

September 26, 2008

Board of Land and Natural Resources Honolulu, Hawaii

Request for Approval of a Special Activity Permit for Dr. Malia Rivera of University of Hawaii at Manoa, Hawaii Institute of Marine Biology, and Designated Assistants

The applicant proposes to collect marine life specimen from around the HIMB facility on Coconut Island in Kaneohe Bay for use in educational programs on the island. Dr. Rivera requires this permit because some specimen are undersized and the taking of coral pieces are both prohibited by State law. All specimen collected will be kept alive in aquaria on the island with some being returned to the ocean. All collections will be with legal fishing gears.

The Division of Aquatic Resources has reviewed this application and supports Dr. Malia Rivera's efforts in her educational programs.

RECOMMENDATION:

"That the Board authorize and approve, with stated conditions, this Special Activity Permit for Dr. Malia Rivera."

Respectfully submitted,

DAN POLHEMUS
Administrator

APPROVED FOR SUBMITTAL:

LAURA Ĥ. THIELEN

Chairperson

Department of Land & Natural Resources DIVISION OF AQUATIC RESOURCES 1151 Punchbowl Street, Room 330 Honolulu, Hawaii 96813

Date Issued:

Valid Not Longer Than One Year From Date Issued

SPECIAL ACTIVITY PERMIT

The Department of Land and Natural Resources hereby grants permission for certain activities involving aquatic organisms belonging to the people of Hawaii, under Section 187A-6, Hawaii Revised Statutes, and other applicable laws.

The Permittees are

Name:

Malia Rivera

Address: Hawaii Institute of Marine Biology

Title: Researcher

P.O. Box 1346

Affiliation: University of Hawaii

Kaneohe, HI 96744

This permit is issued, subject to collect marine life specimen from around the HIMB facility on Coconut Island in Kaneohe Bay for use in educational programs on the island. This permit allows the taking, possession, and killing of the marine life listed below.

| Common Name | Scientific Name | Number | Location |
|-----------------------|-----------------------------|--------|-------------------|
| Violet callyspongia | Callyspongia diffusa | 5 | Kaneohe Bay, Oahu |
| Red mycale | Mycale sp | 5 | |
| Staining sponge | Iotrochota protea | 5 | |
| Upside-down jellyfish | Cassiopea sp | 2 | |
| Glass anemone | Aiptasia pulchella | 10 | |
| Lace coral | Pocillopora damicornis | 5 | |
| Rice coral | Montipora capitata | 10 | |
| Finger coral | Porites compressa | 10 | |
| Mushroom coral | Fungia scutaria | 5 | |
| Orange cup coral | Tubastraea coccinea | 5 | |
| Feather duster | Sabellastarte spectabilis | 5 | |
| Hwn turbin | Turbo sandwicensis | 5 | |
| Tiger cowry | Cypraea tigris | 4 | |
| Banded shrimp | Stenopus hispidus | 5 | |
| Left hand hermit | Calcinus laevimanus | 5 | |
| Jeweled anemone crab | Dardanus gemmatus | 1 | |
| Spotted Linkia | Linkia multifora | 1 | |
| Brittle star | Ophiocoma pica | 5 | |
| Urchin | Echinometra mathaei | 4 | |
| Oblong urchin | Echinometra oblonga | 2 | |
| Red pencil urchin | Heterocentrotus mammillatus | 2 | |

| Collector urchin | Tripneustes gratilla | 3 | |
|------------------------|-----------------------------|----------|---|
| Teated cucumber | Holothuria whitmaei | 2 | |
| Edible cucumber | Holothuria edulis | 1 | |
| Light spotted cucumber | Holothuria hilla | 1 | |
| Conspicuous cucmber | Opheodesoma spectabilis | 4 | |
| Giant Frogfish | Antennarous commerson | | |
| Smooth seahorse | Hippocampus kuda | 1 | |
| Leaf scorpionfish | Taenianotus triancanthus | 1 | |
| Bluestriped snapper | Lutjanus kasmira | 2 | |
| Multiband Butterfly | Chaetodon multicinctus | 2 | |
| Hwn dascyllus | Dascyllus albisella | 2 | |
| Hwn sargent | Abudefduf abdominalis | 4 | |
| Convict tang | Acanthurus triostegus | 4 | |
| Yellowfin Goatfish | Mulloidichthys vanicolensis | 4 | |
| Assorted algae | | 10 pound | _ |
| Day octopus | Octopus cyanea | 1 | |
| Spotted toby | Canthigaster coronata | 2 | |

I. GENERAL CONDITIONS:

- A. This permit does not make the Depatment of Land and Natural Resources or the State of Hawaii liable in any way for any claim of personal injury or property damage to the permittee or assistants which may occur during any activity conducted under this permit; moreover, the permittee and all assistants agree to hold the State harmless against any and all claims of personal injury, death or property damage resulting from activities of the permittee or any assistant.
- B. This permit conveys a privilege to engage in only those activities under the jurisdiction of the Department of Land and Natural Resources. The permittee is responsible for complying with all applicable County, State, and Federal requirements. The permit does not convey any privilege of access over or through private property.
- C. The permittee and each assistant are individually responsible and accountable for their actions while conducting activities authorized under this permit; additionally, the permittee is responsible and accountable for the actions of the permittee's assistants.
- D. This permit is not transferable or assignable. Any person whose name does not appear on this permit and is conducting any activity described herein is subject to prosecution for violation of State laws.
- E. The permittee may request changes to the permit. Any such request to make changes to the permit must be made in writing and received by the Department at least thirty days prior to the change. The addition of new assistants will require each individual to sign the Attachment on page 6 stating that they have read, understood, and agree to abide by all general and special permit conditions. No change may be implemented without written approval from the Department.
- F. The permittee may request to:
 - 1. Add assistants to the permit;
 - 2. Add another permittee or replace an existing permittee in the manner stated above; and
 - 3. Change the activities authorized under this permit.
- G. The permittee or their assistant(s) must have with them a copy of this permit while conducting activities authorized by this permit.
- H. This permit authorizes collection of organisms protected by Federal law only with prior appropriate Federal authority, which must be described on Page 1 of this permit (if applicable).
- I. This permit does not authorize the sale of any collected organism.

- J. This permit expires on the date indicated on Page 1. Within one month of the expiration date, the permittee must return this permit to the address listed on the upper left corner of page 1 with complete information on all activities authorized under this permit, on the attached Activity Report form.
- K. The permittee and assistants agree to provide access to data obtained under authority of this permit upon request of the Division of Aquatic Resources, and to provide to the Division a copy of each report, published for distribution, prepared with data obtained under this permit. The permittee agrees to provide the Division of Aquatic Resources access to organisms obtained and held under this permit for on-site inspection.
- L. A violation of any terms or condition of this permit or any violation of State law not covered by this permit may result in revocation of the permit and other penalties as provided by law. In addition, the Department may consider any such violation as grounds for denying any future permit applications.

II. SPECIAL CONDITIONS

- A. This permit authorizes the use of legal fishing gears to take the species listed on page 1. The taking of coral shall be from the branch tips of healthy specimen only leaving a maximum of 1cm damage. Feather duster worms are to be taken from invasive algae mats only. In addition, the taking of all other species shall be in a manner that minimizes damage to surrounding habitats or marine life. All organisms returned alive shall be placed in the waters surrounding Coconut Island.
- B. The use of any chemical substance to take fish is expressly prohibited under this permit but may be used to preserve fish after taken.
- C. The primary permittee and designated assistants are required to obtain permission before entering upon lands or waters not under the jurisdiction of the Department (see "C", General Conditions, page 2 of this permit).
- D. This permit does not by implication authorize the primary permittee or any designated assistant to engage in any other activity that is in violation of any other State, Federal or County law, regulation or ordinance.

LAURA H. THIELEN, Chairperson Department of Land and Natural Resources

| cc: | (x) DOCARE |
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| | () Special Agent in Charge, USFWS, Honolulu |
| | ()DAR |

SIGNATURES AND AGREEMENT

By my signature below, I acknowledge receipt and understanding of the general and special conditions of this Special Activity Permit. Further, I agree to abide by all of these conditions when conducting activities authorized by this permit.

PRINCIPAL PERMITTEES: Malia Rivera

| DESIGNATI | ED ASSISTANTS: | | |
|-------------|-------------------|-------------|---------------|
| Signature: | lying | Signature: | Cu |
| Print Name: | Mackenzie Manning | Print Name: | Carlie Weiner |
| Signature: | Markelechnan | _Signature: | Wish |
| Print Name: | Mark Heckman | Print Name: | Dave Krupp |
| Signature: | Chi Com | Signature: | De Teilly |
| Print Name: | Clyde Tamaru | Print Name: | Joe O'Reilly |
| Signature: | | Signature: | Aug Aprill |
| Print Name: | Nicholas Whitney | Print Name: | Amy Apprill |
| Signature: | Cai Fox | Signature: | frag. |
| Print Name: | Kai Fox | Print Name: | Judith Lemus |
| Signature: | C. 8n | Signature: | Ran Delleges |
| Print Name: | Cynthia Sunada | Print Name: | Ron Dellinger |
| Signature: | | Signature: | |
| Print Name: | | Print Name: | |

ACTIVITY REPORT

Results of all activities performed under authority of this permit must be reported on this form (or copies) within one month after the permit expires (see first page). Use as many sheets as you need. Submit the report to the Division of Aquatic Resources at 1151 Punchbowl Street, Room 330, Honolulu, HI 96813.

| Date | Location | Common or Scientific Name | Quantity Collected* | Disposition of Specimens |
|-----------|--------------|------------------------------|------------------------|--------------------------|
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| | | | | |
| Permittee | e Signatures | | | |
| Printed n | ame | Signature | Date | |
| Printed n | ame | Signature | Date | |

^{*}If salvaged (collected because the specimen was dead or injured already), please detail circumstances: condition (dead, or describe extent of injury), how or from whom the specimen was obtained.

ATTACHMENT FOR DESIGNATED ASSISTANTS ONLY

| Primary Permittee: Malia River | ra | |
|---|--|--|
| I, being the primary permittee, hereby acknowledge the addition of the following designated assistants. | | |
| Malia Rivera | Date | |
| ADDITIONAL DESIGNATED | D ASSISTANTS | |
| We, the undersigned, have read above Special Activity Permit. | l, understand, and agree to all conditions stipulated in the | |
| Signature | Print Name: | |